

Appeal Statement

Application description -: Enlargement of roof space to include a rear dormer and 2 front roof lights

Drawing no -: SLJCS/41AA/2020-PP1 to 2 REV B and SLJCS/41AA/2020-P3 REVA, Flood map, Block and Location Plan

Name of Appellant -: Mr Aftab Adamjee

Appellant E mail -: naryalaftab52@hotmail.com

Appeal Site Address -: 41 Acacia Avenue, Hayes, UB3 2ND

Planning Application number -: 16106/APP/2020/3451

Name Of agent -: Jayantha Pattapola, Director,
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Local Authority -: Hillingdon council

Planning Policies -:

- Visual guide for house holders ([http://www. Planning portal.gov.uk/house](http://www.Planningportal.gov.uk/house))
- London Plan 2016 (Policy 5.2, 5.3, 5.4, 7.1,7.4,7.5 &7.6)
- National planning policy framework (NPPF) 2012
- Town and Country planning (General Permitted Development) (England) order 2015 (As amended)
- Town and Country planning Act 2016
- A vision for 2026, Hillingdon local strategic policies part 1 & 2 2012
- Home fit for Hillingdon 2012 -15
- Development management Policies - 2015

History of planning:-

- Outbuilding erected under the lawful Permitted development rights, but no enforcement action has been taken or advice to follow up necessary planning obligation is conservation area in 2008.
- 16106/B/90/0414 – Erection of a rear extension granted on 17-05-1990.
- A habitable roof space has been created within the attic with two sky roof windows on the front and rear slope roof structure of the two- storey building in 2010.
- There are similar sizes of developments in the street houses and some of the developments are change the roof structures as seen from the sky view images in regular interval of time scale.

Site and Location -: The clearly scale bars mark on the location and block plans as published by the Ordinance survey has been reprinted map obtained from the statutory obligated company “Buy – A- Plan” (Unfortunately, Hillingdon council planning validation officer has identified as no scale bar on those plan).

The proposed property is mid 1930s building situated at the north of Acacia street and has almost north facing rear garden. It is in the north east conner of the Hayes village boarder of conservation area. The rear elevation of two storey mid terrace house of the No 41 Acacia Avenue is not facing to conservation monument of listed building sites of Hayes Village except to the series of standard 1980s three-storey terraces houses on the Addison Way.

Those front elevations of building sites and commercial units at the major highway Uxbridge Road are at least more than 30 meters away from the proposed rear dormer elevation windows of the No 41 Acacia Avenue. There are two previous developments in the curtilage of the proposed development site under the lawful development rights and two street off parking bays in front of the property.

Although the proposed development site is within the conservation area of Hayes Village the proposed dormer will not be visible to facing any of the conservational building site in the Hayes Village. It is clearly self-demonstrating from a bird- eye view images as attached in the list of documents.

The roof structure and the building front main elevations of the proposed development site and rest of the houses in the Acacia street have been developed or refaced to improve the appearance of the building. It is a street of standard houses precaution have been taken in regular basis of maintenances similar to other parts of the buildings in the Hillingdon council. It is a standard two storey house subjected to attention for regular maintain by the owners due to age of the buildings. Therefore, renovations work will not be a negative impact or violating of conservation policies related to the Hayes Village.

Analysis of planning policies against the proposed design and respond to the comments made by the council planning case officer:-

1. The proposed design is changing of existing confine habitable space in the loft area into a more reasonable and better living accommodation as highlighted in the condition for comfortable living standard considering from the “Homes fit for Hillingdon” under the planning policy of The London Borough of Hillingdon housing Strategy 2015. The particular development is addressing some of the issues meet the needs of vulnerable people such as those who are try not to be burden to the public funds but needs regular attention to the family members. The proposed design is clearly addressing to the point how to help people to remain independent in their own homes. It is an ideal change in many aspects of planning policies and solution to current burning housing demand for the various type of categories who are hungry to having a good living standard within the property but unable to effort to have them in another location of suburban London metropolitan council area and not be a negative impact to the surrounding building environment of a conservation area.

2. The aim of the proposed development is improving the aesthetically pleasing and matching with the quality of existing external features roof structure by erecting an addition of rear dormer as an enlargement of roof space of the property at 41 Acacia Avenue without harming to the surrounding neighbouring properties. The proposed alteration will match the existing windows and appearance cladding of side walls of dormer similar to roof tiles will not be visible as separate part of roof even the dormer erection as subornative element of the roof structure. The quality flat roof structure with better-quality opening from the front roof elevations to improve visual appearance and maintain quality energy saving structure under the improved appropriate building regulations in line with sustainable building techniques to avoid heavy loss of energy of from the existing loft. The proposed design is based on the good design principles illustrate in the “Good Home Design” is published by the BRE.

3. The main reason to make a household full planning application, the proposed development is complying to the Class B.1(f) of Part 1 Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 is full planning due to development in the conservation. Although, the proposed site is within the Hayes Village conservation area, the proposed development will not be facing to the conservation and the will not significantly harmful to the surrounding building or status of the conservation.

4. The submitted photographs confirmed the size and shape of existing two storey mid terrace house and not the hip roof structure as consider by the conservation officer in his comments. It is a serious error compare to comments of the location of front sky lights on the roof because this development is not hip to gable roof structure change. In the same comments of the conservation officer is attempted bring up a poor comparison with the existing dormer construction at the property no 49 Acacia Avenue is not as the proposed dormer construction at the Property no 41 Acacia Avenue. After all those contradicting analyses of conservation officer accepted the proposed development would not be harmful to the surrounding conservations area.

5. The conservation officer may have not pay attention to the proposed development how to be affected to the particular heritage assets from the proposed roof dormer where the property subjected to development located in the conservation area is no way near vision of any listed building site with is a mile range of conservation area as in para 189 of NPPF.

6. The proposed site for the development and the type of development will not cause any impact and even conservation officer failed to correctly identify the type of development is not the hip to gable development and applicant have no intention to change the materialistically of appearance on the wall cladding of the proposed a rear dormer to the existing loft space to the property No 41 Acacia Avenue UB3 2ND. The shape of the dormer is fully complying with all the necessary dimensional values listed in the Class B, part 1 of schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015. I strongly disagreed with planning officer not been possible to make a comment how could be a proposed development is bulky in shape if the appropriate planning policies comply under the lawful development. The shape of the dormer will not create negative appearance to the neighbourhood as it is facing towards to the none-conservation site of a major highway of Uxbridge road. Therefore, the proposed development is a minor development within frame of lawful development and will not cause to any aspect of status as highlighted in para 186 of NPPF. It is self-explaining from the submitted photo images alongside with proposed quality design and not a significantly affected to any heritage structure could be identified or prospects of devalue of heritage building within the conservation area as mention in the para 189 of NPPF. The proposed development is free from any disturbances to the existence of heritage building in the conservation area; hence it is self-understanding not requiring of a comprehensive inhouse investigation as an experience retired local government officer worked in the similar capacity for more than 20 years. It is untestable the particular aspect of development to a standard house in the Acacia Avenue will not any significant impact on special archaeological interest. This is confirming from the conservation officer failing to justify what type of heritage assets near by the development site as per para 190 of the NPPF.

7. The standard lawful design criteria in the class B, part 1 of Schedule 2 of The Town and Country (General Permitted Development) layout the size and shape of a rear dormer and proposed design clearly highlighted in the drawings will match the appearance of existing windows according to the appropriate planning supplementary documentation of local planning policies will not be identify as a bucky poor development. The proposed development is not different to any other form of development in the street within the council area or all the 33 boroughs of London planning policies complying area according to the London plan 2016 and the Local plan part 1 & 2 a vision for 2026 of Hillingdon council.

8. The proposed development has not been objecting from any residents from the neighbouring properties and planning officer also accepted not an impact on neighbouring property in the sense of blocking day lighting as result of development. It is a general fact that the North facing rear gardens of properties will not be subjected to significantly disturbances of blocking sunlight on neighbouring properties according to the BRE publications. It is modern planning concepts for development and relevant planning policies need to be counterbalancing favourably to promote some of development such as proposed developments at the location of the property no 41 Acacia Avenue UB3 2ND within the conservation area as per para 200, 201 & 202 of NPPF.

9. The council strategic planning policies under the historic and build environment of section 7 of Local plan: part1 2012 are aiming to ensure all development is of a high design quality like as proposed design a positive contribution to the local environment in the senses of creating attractive, safe, and vibrant place to live and work. Therefore, the proposed addition of rear dormer to the existing loft space is an ideal planning concepts under the circumstances of change of lifestyle unexpectedly in the locally as well as in the country. Therefore, the proposed development to the property no 41 acacia avenue will be benefited reasonably without harming to the surrounding neighbourhood.

10. The proposed development of addition of a rear dormer to the existing loft space of the Property no 41 Acacia Avenue UB3 2ND is aiming to improve quality of living of a habitable space and built environment in order to create successful and sustainable neighbourhood by installing a quality material with less regular maintenance and matching to the existing external appearance to minimise the impact of change within the conservation area as per BE1 of Hillingdon Local plan: Part 1 2012. It is a fact that development of an addition of a dormer is limited to address on the sustainable improvements excepts make the external wall cladding will appear as matching to the existing roof tiles, which has been adopted in the proposed design.

11. The London Borough of Hillingdon is an attractive place for residents and the heritage assets in the location near by the Acacia Avenue has limited non designated building monuments, site place or area except comes under range of the Hayes village according to the punished maps of Hillingdon local plan: part2, 2012. Therefore, household developments follow up according to the Appendix A of the Hillingdon local plan: Part 2, 2012. The proposed dormer is not entirely facing on conservation area and the building subjected to develop is not a listed, it is similar to development as the property no 49 Acacia Avenue UB3 2ND. The sizes of windows are less but similar to the first floor windows of the Property No 41 Acacia Avenue, UB3 2ND. It is not dominant feature and lower than the height of the

main ridge and sit within the eaves. The proposed rear dormer on a mid-terrace property hardly ever visible from the street. It is essential to meet minimum all developments standard as per DMHB16 of the Hillingdon local Plan: part 2, 2012 for an internal space of the development. Council will particularly seek living in roofs in urban areas with limited green spaces similar to the proposed development type and location where the site is in limited landscaping under the sustainable design standard in section 6.4 of the Hillingdon Local plan: Part2, 2012. Mainly directly DMHB1 is applying on Heritage assets but standard household building at the edge of the conservation area and the development facing outward to the conservation area need to be considered less extent to the limitation of standard lawful development benefits. The Hillingdon council is aiming to ensure the sufficient privacy for residents, therefore unreasonable overlooking distance between habitable rooms of adjacent residential properties, school or onto private open area spaces must be away from 21 meters from the proposed dormer windows (5.38 of DMHB10 of Hillingdon Local Plan: Part2, 2012. A minimum of more than 30 metres separation distance between dormer rear windows of the development site and the windows of the habitable room of the buildings in Addison Road.

The policy E: roof extension of DMHD 1 in the Hillingdon local plan Part2, 2012 is related to the Alterations and extensions to the residential dwelling directly related to the adjacent to the monuments structures in the conservation area and for the Heritage building and not for standard household building at the edge of the conservation area. It is clearly demonstrating in A1.2 Appendix A of Hillingdon Local Plan: part 2, 2012; under the General Permitted Development Order 1995(As amended 2008 & 2015) mid terrace rear dormer extension to the residential properties do not require planning permission but council pay attention to the proposals for residential extension against the requirements of policy DMHB1; Alteration and extension to Residential Dwelling for the following categories:

1. Listed building and conservation areas where the particular residential building make impact on the listed buildings, locally listed building in conservation area or special local character. The proposed site development is not related to any of the above sites.
2. The proposed building is subjected to high risk of flooding Zone. The proposed site is in low flood zone 1.
3. Tree preservation area subject to directly effect from the proposed development, but none of this complying with the proposed dormer development at the 41 Acacia Avenue UB3 2ND.

12. The proposed rear dormer of the Property no 41 Acacia Road, UB3 2 ND is not visible from main street other than from non-conservation area and subservient to the appropriate scale of limitation layout in Class B of part 1 schedule 2 of the General Permitted Development Order 2015.

13. The attached supportive photographs and the proposed development drawings will be self-explaining the improvement of architectural design qualities in respond to climate change need more attention to reduce the Carbon dioxide emission and minimising of loss of energy from the extension according to the current circumstances of climate changes under the policy 5.2 of London Plan 2016.

14. The strategic planning design principals promote refitting with quality design with improved materials to minimise energy losses from the property will be an added positive thinking to renovate of old loft conversion roof space of the property under the aim of policy 5.4 London Plan.

15. The proposed design will not have misinterpreted the national and the local borough housing policies. It is very unfair to highlight the policies referencing without sufficient reasons and to gain an unfair advantage of the existing of some of the policies would not be directly have an impact on this particular design as mention in the planning officer's report to make an excuse to refuse the planning approval.

16. The proposed development will not change the neighbouring local amenity as demonstrating from the submitted drawing for planning permission under the permitted development Order 2015.

17. I am also strongly disagreed with the planning officer to refuse planning approval, due to the scale and sizes of the building. The design is appropriately proportionate to the size of similar development at the property no 49 Acacia Avenue.

18. This development was followed up the good BRE design guidance suite to the location and quality of building easy to build by the competent builders to minimising damage of neighbours' privilege and adopted the similar development policy locally implemented. It is very clearly mention what type of material proposed in the application.

19. The proposed design is successfully balance between adaptation and sensitivity to the rest of surrounding building of their original design in the street with in their own constrains. The proposed design adopts a contemporary modern design approach allowing to meet the existing features of the dwelling.

20. Therefore, the proposed scheme provides generous quality living accommodation to the occupiers and not be a burden to the local amenity and as part of solution to the housing demand within the borough. It is therefore considering to overruled council decision and grant the permission.